

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Application No.3124 of 2006
In
Criminal Writ Petition No.83 of 2006 (Decided)

Sk. Saeed Sk. Nazir
 vrs
 State of Maharashtra and one

 Office Notes, Office Memoranda of Coram, :
 Appearances, Court's orders or directions : Court's or Judge's orders
 and Registrar's orders.

Mr. N.A. Badar, Advocate for the petitioner,
 Mr. A.D. Sonak, APP for the respondent/State.

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CORAM : K. J. ROHEE & C. L. PANGARKAR, JJ
DATED : OCTOBER 06, 2006

P.C.

1. Heard the learned counsel for the petitioner and the learned APP for the respondent/State.

2. By order dated 18th August, 2006 this Court extended the period of parole by thirty days. As such the petitioner was to surrender on 12.9.2006. However, on 24.8.2006 he was arrested on the accusation of having committed an offence punishable u/s 392, I.P.C. Bail was granted to him on 26.8.2006. However he was not released and was sent back to the Jail. It is contended by the learned counsel for the petitioner that he was arrested by the police when he had

gone to the Police Station to give attendance as per rules and that he has committed no offence much less an offence u/s 392, I.P.C. We are unable to show any indulgence in the matter because the plea raised by the petitioner in respect of his arrest might be his defence in the allegation u/s 392, I.P.C. For the present it can be taken for granted that he has committed breach of the conditions of parole. Thus we find no illegality in sending back the petitioner to the jail. The application is, therefore, disposed of.

JUDGE

JUDGE

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